

TEMPORARY

Serial No. 57844T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JUL 13 1992

Returned to applicant for correction

Corrected application filed Map filed JUL 20 1992

The applicant R. Dirk Agee and Marta S. Agee (husband and wife)

Box 50 - Rachel of Alamo
Street and No. or P.O. Box No. City or Town

Nevada 89001 hereby make application for permission to change the
State and Zip Code No.

point of diversion and place of use and manner of use
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under permit #31281 (certificate #10867)
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is underground
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 2.365 c.f.s. (400 acre-feet)
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, T.3S.,
Describe as being within a 40-acre subdivision of public survey and by course and

R.55E., M.D.M., from which the SE corner of said section bears
distance to a section corner. If on unsurveyed land, it should be stated.

S.45°08'E., 1.871 ft. dist.

6. The existing permitted point of diversion is located within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, T.3S.,
If point of diversion is not changed, do not answer.

R.55E., M.D.M., from which the SE corner of said section 35 bears

S.45°00'E., 50.0 ft. dist. (NOTE: incorrect tie on certificate
reads: "S.45°00'W.")

7. Proposed place of use 109.709 acres within the SE $\frac{1}{4}$ Section 33, T.3S., R.55E.,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

M.D.M.

8. Existing place of use S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 35, T.3S., R.55E., M.D.M. - 80 acres
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Use was permitted from May 1 to September 30 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) Drilled and cased well, electric
State manner in which water is to be diverted, i.e. diversion structure.

motor and turbine pump, pivot sprinkler system
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$30,000.00

13. Estimated time required to construct works two years

14. Estimated time required to complete the application of water to beneficial use.....four years.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Applicants are submitting this and companion temporary change applications so that the contemplated irrigation change scheme can be placed into operation at the earliest possible time in the current irrigation season. Permanent change applications for the same rights, or portions of rights, will be submitted, with map, upon completion of the installation of the new improvements.

By s/ William A. Nisbet
421 Court Street
Elko, NV 89801

Compared gkl/jv ap/se

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This temporary permit to change the point of diversion, place of use and manner of use of the waters of an underground source as heretofore granted under Permit 31281, Certificate 10867 is issued subject to the terms and conditions imposed in said Permit 31281, Certificate 10867 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 57843-T, 57844-T, 57845-T and 57932-T shall not exceed 667.5 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on September 8, 1993 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The acreage under this permit and Permits 57843-T, 57845-T and 57932-T is limited to 133.5 acres within the SE $\frac{1}{4}$ of Section 33, T.3S., R.55E. The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to

exceed 2.365 cubic feet per second, but not to exceed 400 acre-feet annually, and not to exceed a yearly duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No. Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 9th day of September,

A.D. 19 92

[Signature]
State Engineer

EXPIRED

DATE SEP 8 1993